UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,195	03/14/2001	Philip D. Mooney	MOONEY 64	1728

7590 06/06/2006

MANELLI DENISON & SELTER PLLC
7th Floor
2000 M Street, N.W.
Washington, DC 20036-3307

EXAMINER	
WEST, LEWIS G	
ART UNIT	**PAPER NUMBER**
2618	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/805,195	MOONEY, PHILIP D.	
	Examiner	Art Unit	
	Lewis G. West	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

The indicated allowability of claims 1-7 is withdrawn in view of the newly discovered reference(s) to the BLUETOOTH Specification Version 1.0 B, Cordless Telephony Profile, and Core section 10.9 of the Channel Control section (hereafter BLUETOOTH). Rejections based on the newly cited reference(s) follow.

Specification

The abstract of the disclosure is objected to because it is unnecessarily long (It is limited to 150 words, applicant uses over 280 words). Correction is required. See MPEP § 608.01(b) and 37 CFR 1.72.

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;

(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8-10, 13-15, 18 and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by the BLUETOOTH Specification Version 1.0 B, Cordless Telephony Profile and CORE Channel control section 10.9 Scatternet (hereafter BLUETOOTH).

Regarding claim 1, BLUETOOTH discloses a cellular telephone, comprising: a cellular telephone module; a piconet front end; and a cordless telephone PSTN gateway role, in direct communication with said cellular telephone module and with said piconet front end; wherein said cordless telephone PSTN gateway role allows a remote piconet device to answer an incoming call to said cellular telephone over a piconet network. (page 104)

Regarding claim 2, BLUETOOTH discloses the cellular telephone according to claim 1, further comprising: a cordless telephone terminal role. (Page 104)

Regarding claim 3, BLUETOOTH discloses the cellular telephone according to claim 1, wherein: said piconet front end is a BLUETOOTH device. (Page 104)

Regarding claim 4, BLUETOOTH discloses the cellular telephone according to claim 1, wherein: said cordless telephone PSTN gateway role conforms with BLUETOOTH device standards. (Page 104)

Regarding claim 5, BLUETOOTH discloses the cellular telephone according to claim 1, wherein: said remote piconet device is another cellular telephone. (Page 104)

Regarding claim 8, BLUETOOTH discloses a method of remotely answering an incoming call to a cellular telephone over a wireless piconet network, comprising: establishing a piconet network comprising said cellular telephone and a remote piconet device in direct communication, said cellular telephone being adaptable to operate as a PSTN gateway and comprises a piconet front end; and routing audio from said cellular telephone to said remote piconet device over said wireless piconet network. (Pages 104-105)

Regarding claim 9, BLUETOOTH discloses The method of remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 8, further comprising: performing call establishment functions from said cellular telephone under control of said remote piconet device.

Regarding claim 10, BLUETOOTH discloses The method of remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 8, wherein: said audio is BLUETOOTH audio. (Pages 104-105)

Regarding claim 13, BLUETOOTH discloses apparatus for remotely answering an incoming call to a cellular telephone over a wireless piconet network, comprising: means for establishing a piconet network comprising said cellular telephone and a remote piconet device in direct communication, said cellular telephone being adaptable to operate as a PSTN gateway and comprises a piconet front end and means for routing audio from said cellular telephone to said remote piconet device over said wireless piconet network. (pages 104-105)

Regarding claim 14, BLUETOOTH discloses The apparatus for remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 13, further comprising: means for performing call establishment functions from said cellular telephone under control of said remote piconet device.

Regarding claim 15, BLUETOOTH discloses The apparatus for remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 13, wherein: said audio is BLUETOOTH audio. (Pages 104-105)

Regarding claim 18, BLUETOOTH discloses a method of allowing a remote piconet device (TL) answer an incoming call to a wireless telephone (GW, may be a GSM phone, see page 104) in communication with said piconet device (TL), comprising: passing incoming call information from said cellular telephone receiving an incoming call to said remote piconet device over a wireless piconet (Cordless Telephony Profile Section 2.3 item 1), said cellular telephone being adaptable to operate as a PSTN gateway (page 104, Gateway definition, gateway

may be a PSTN gateway and it therefore "adaptable") and comprises a piconet front end, and selectively audibly ringing said remote piconet device in response to receipt of said incoming call information by said cellular telephone. (See again, page 104, gateway definition wherein a gateway may be simple and ring one terminal or support multiple active devices and ring multiple piconet devices)

Regarding claim 20, BLUETOOTH discloses The method of allowing a remote piconet device answer an incoming call to a cellular telephone in communication with said piconet device according to claim 18, further comprising: audibly ringing at least two remote piconet devices in response to receipt of said incoming call information by said cellular telephone. (See again, page 104, gateway definition wherein a gateway may be simple and ring one terminal or support multiple active devices and ring multiple piconet devices)

Regarding claim 21,BLUETOOTH discloses The method of allowing a remote piconet device answer an incoming call to a cellular telephone in communication with said piconet device according to claim 18, wherein: said wireless piconet is a BLUETOOTH piconet network. (See page 106 Section 2.4 where the connection between GW and TL is defined as a piconet)

Regarding claim 22, BLUETOOTH discloses the method of allowing a remote piconet device answer an incoming call to a cellular telephone in communication with said piconet device according to claim 18, wherein: said incoming call information includes a ring indication. (See again, page 104, gateway definition wherein a gateway may be simple and ring one terminal or support multiple active devices and ring multiple piconet devices)

Regarding claim 23, BLUETOOTH discloses an apparatus for allowing a remote piconet device answer an incoming call to a cellular telephone in communication with said piconet device, comprising: means for passing incoming call information from said wireless telephone receiving an incoming call, to said remote piconet device over a wireless piconet, said cellular telephone being adaptable to operate as a PSTN gateway and comprises a piconet front end; and means for selectively audibly ringing said remote piconet device based on said incoming call related information received by said cellular telephone, and means for routing said incoming call to said cellular telephone over a piconet to another telephone device.(Page 104-105)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6, 7, 11, 12, 16, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over BLUETOOOTH.

Regarding claim 6, BLUETOOTH discloses the cellular telephone according to claim 1, but does not expressly disclose an authorized terminal list. However, BLUETOOTH does discloses that only Trusted terminals may connect to the gateway to receive calls (page 110 " "Connecting to a GW") Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have an authorized terminal list including unique identification of

at least one remote piconet device permitted to answer incoming calls to said cellular telephone, as one of ordinary skill in the art would have recognized that a list of the identifications of devices to be authorized is implicit to the process and would have allowed the processor to easily compare devices attempting connection versus those authorized.

Regarding claim 7, BLUETOOTH discloses the cellular telephone according to claim 1, as well as extending the connection beyond the number of devices allowed in a piconet (page 105) but does not expressly disclose scatternet as part of the CORDLESS TELEPHONY PROFILE section. However the BLUETOOTH specification does teach that when more devices are necessary a scatternet may be formed covering the same area (pages 122-123). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use scatternet to extend the number of devices as this is the express teaching in the BLUETOOTH specification for adding more devices beyond a piconet and the method of connection is already laid out in any device already conforming to BLUETOOTH.

Regarding claim 11, BLUETOOTH discloses The method of remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 8, as well as extending the connection beyond the number of devices allowed in a piconet (page 105) but does not expressly disclose scatternet as part of the CORDLESS TELEPHONY PROFILE section. However the BLUETOOTH specification does teach that when more devices are necessary a scatternet may be formed covering the same area (pages 122-123). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use scatternet to extend the number of devices as this is the express teaching in the BLUETOOTH

specification for adding more devices beyond a piconet and the method of connection is already laid out in any device already conforming to BLUETOOTH.

Regarding claim 12, BLUETOOTH discloses The method of remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 8, but does not expressly disclose an authorized terminal list. However, BLUETOOTH does discloses that only Trusted terminals may connect to the gateway to receive calls (page 110 " "Connecting to a GW") Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have an authorized terminal list including unique identification of at least one remote piconet device permitted to answer incoming calls to said cellular telephone, as one of ordinary skill in the art would have recognized that a list of the identifications of devices to be authorized is implicit to the process and would have allowed the processor to easily compare devices attempting connection versus those authorized.

Regarding claim 16, BLUETOOTH discloses The apparatus for remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 13, as well as extending the connection beyond the number of devices allowed in a piconet (page 105) but does not expressly disclose scatternet as part of the CORDLESS TELEPHONY PROFILE section. However the BLUETOOTH specification does teach that when more devices are necessary a scatternet may be formed covering the same area (pages 122-123). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use scatternet to extend the number of devices as this is the express teaching in the BLUETOOTH specification for adding more devices beyond a piconet and the method of connection is already laid out in any device already conforming to BLUETOOTH.

Regarding claim 17, BLUETOOTH discloses the apparatus for remotely answering an incoming call to a cellular telephone over a wireless piconet network according to claim 13, but does not expressly disclose an authorized terminal list. However, BLUETOOTH does discloses that only Trusted terminals may connect to the gateway to receive calls (page 110 " "Connecting to a GW") Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have an authorized terminal list including unique identification of at least one remote piconet device permitted to answer incoming calls to said cellular telephone, as one of ordinary skill in the art would have recognized that a list of the identifications of devices to be authorized is implicit to the process and would have allowed the processor to easily compare devices attempting connection versus those authorized.

Regarding claim 19, BLUETOOTH discloses the method of allowing a remote piconet device answer an incoming call to a cellular telephone in communication with said piconet device according to claim 18, including multiple ringing terminals. It also teaches that the gateway, in this case the cellular phone, is the central point for external network communications. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to audibly ring said cellular telephone together with said remote piconet device in response to said receipt of said incoming call information by said cellular telephone, as it is the primary connection with the outside network and would therefore be the best place to answer the call having a shorter overall signal path and being less subject to noise and interference due to routing and channel loss.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Moon et al (6,804,532) also provides for call forwarding/routing in a BLUETOOTH piconet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lewis West
(571) 272-7859